

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
VICTORIA DIVISION**

IN RE:	§	
	§	
DAVID MICHAEL MOBLEY	§	CASE NO. 22-60004
	§	
DEBTOR-IN-POSSESSION	§	CHAPTER 11

**DEBTOR-IN-POSSESSION’S EMERGENCY MOTION FOR ADEQUATE PROTECTION**

**THIS MOTION SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE WITHIN 21 DAYS OF THE DATE THIS WAS SERVED ON YOU. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.**

**REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEY.**

**EMERGENCY RELIEF HAS BEEN REQUESTED. IF THE COURT CONSIDERS THE MOTION ON AN EMERGENCY BASIS, THEN YOU WILL HAVE LESS THAN 21 DAYS TO ANSWER. IF YOU OBJECT TO THE REQUESTED RELIEF OR IF YOU BELIEVE THAT THE EMERGENCY CONSIDERATION IS NOT WARRANTED, YOU SHOULD FILE AN IMMEDIATE RESPONSE.**

**DATE BY WHICH EMERGENCY RELIEF IS NEEDED: As soon as the Court’s schedule allows.**

**TO THE HONORABLE U.S. BANKRUPTCY JUDGE:**

COMES NOW, Debtor-in-Possession, DAVID MICHAEL MOBLEY (“Debtor”) and files this Emergency Motion for Adequate Protection and in support thereof would show the Court the following:

1. Debtor filed this Chapter 11 bankruptcy case on January 21, 2022.
2. The Debtor proposes to make adequate protection payments, pursuant to 11 U.S.C §361 to the holder of the following allowed secured claims and in the amounts specified below:

Secured Creditor	Collateral Description	AdequateProtection Payment
First Financial Bank, N.A.	3815 Montgomery Rd. Richmond, TX 77406 (Debtor’s Homestead)	\$16,903.64 per month.

3. The Debtor proposes to make the above adequate protection payments from his Debtor-In-Possession account until the Debtor's Plan is confirmed. The balance in the Debtor-In-Possession account as of January 6, 2023, was \$123,236.06. At least such amount is still held in such account.

**REQUEST FOR EMERGENCY HEARING**

4. It is requested that this Court grant emergency consideration of this Motion because the Debtor needs to start making this payment from the Debtor-In-Possession account, because it is causing a hardship upon Debtor and others by this payment being made from other sources.
5. Accordingly, good cause exists to hear this Motion on an emergency basis. Debtor's Attorney certifies an emergency exists by his signature below.

Wherefore, Debtor requests this Court grant this Motion, and for such other and further relief to which Debtor may be entitled.

Dated: January 30, 2023.

Respectfully submitted,

**THE BROWN LAW FIRM**

By: /s/ Jerome A. Brown

Jerome A. Brown

State Bar No. 03140000

13900 Sawyer Ranch Road

Dripping Springs, TX 78620

Phone: (512) 306-0092

Facsimile: (512) 521-0711

Email: [jerome@brownbankruptcy.com](mailto:jerome@brownbankruptcy.com)

Attorney for Debtor-In-Possession

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing was forwarded, via First Class U.S. Mail, postage prepaid, or by electronic mail from the Clerk of the Court on January 30, 2023, to the parties-in-interest entitled to notice set forth on Exhibit 1 attached hereto.

/s/ Jerome A. Brown  
Jerome A. Brown

## Exhibit 1

Label Matrix for local noticing 0541-6 Case 22-60004 Southern District of Texas Victoria Fri Jan 20 13:48:20 CST 2023  Fort Bend County Linebarger Goggan Blair & Sampson LLP c/o Jeannie Lee Andresen P.O. Box 3064 Houston, TX 77253-3064	First Financial Bank, N.A. P.O. BOX 3679 Ahlilene, TX 79604-3679  Quality Lease Rental Service, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Ford Motor Credit Company LLC Devlin, Naylor & Turbyfill, P.L.L.C. c/o George F. Dunn 5120 Woodway Dr., Ste. 9000 Houston, TX 77056-1725  Quality Lease Service, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857
Quality Lease and Rental Holdings, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Rocacea, LLC c/o Walter J. Cicack Hawash Cicack & Gaston LLP 3401 Allen Parkway, Suite 200 Houston, TX 77019-1857	Texas Champion Bank c/o Mike Thiltgen P.O. Box 270550 Corpus Christi, TX 78427-0550
Texas Quality Mats, LLC P.O. Box 168 El Campo, TX 77437-0168	Wharton County, Texas c/o Tara LeDay P.O. Box 1269 Round Rock, TX 78680-1269	6 United States Bankruptcy Court PO Box 61010 Houston, TX 77208-1010
AT&T Corp PO Box 5072 Carol Stream, IL 60197-5072	Allan Martin c/o REID, COLLINS, & TSAI LLP 1301 S. Capital of Texas Hwy Building C Austin, TX 78746-6550	Bank of America P.O. Box 15284 Wilmington, DE 19850-5284
Bank of America, N.A. PO Box 673033 Dallas, TX 75267-3033	Enhanced Recovery 8014 Bayberry Rd. Jacksonville, FL 32256-7412	FORD CREDIT PO BOX 650575 Dallas, TX 75265-0575
First Financial Bk Min Po Box 2559 Ahlilene, TX 79604-2559	First State Bank - Louise Card Service Center PO Box 569120 Dallas, TX 75356-9120	Ford Motor Credit Company, LLC C/o George F. Dunn 5120 Woodway Dr., Suite 9000 Houston, Texas 77056-1725
Fort Bend County c/o Jeannie Lee Andresen Linebarger Goggan Blair & Sampson LLP P.O. Box 3064 Houston, Tx 77253-3064	Fort Bend County c/o John P. Dillman Linebarger Goggan Blair & Sampson LLP P.O. Box 3064 Houston, Tx 77253-3064	Greta Yvette Mobley 1082 County Road 451 El Campo, TX 77437-5593
Independent Bankersbank c/o Creditors Bankruptcy Service P.O. Box 800849 Dallas, TX 75380-0849	Internal Revenue Service Centralized Insolvency Office P. O. Box 7346 Philadelphia, PA 19101-7346	Lincoln Automotive Fin Attn: Bankrutcy PO Box 54200 Omaha, NE 68154-8000
M/G Finance Co., Ltd. c/o John Seth Bullard Orgain, Bell & Tucker, LLP PO Box 1751 Beaumont, TX 77704-1751	MATAGORDA INDEPENDENT SCHOOL DISTRICT 1700 7th Street, Room 203 Bay City TX 77414-5034	MG Finance Co LTD 1655 Louisiana Street Beaumont, TX 77701-1120

People's United Equipment Finance Corp.  
c/o T. Josh Judd  
Andrews Myers, P.C.  
1885 Saint James Place, 15th Floor  
Houston, Texas 77056-4175

Peoples Bank  
5820 82nd Street  
Lubbock, TX 79424-3617

Quality Lease Rental Service, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Quality Lease Service, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Quality Lease and Rental Holdings, LLC  
23403B NW Zac Lentr Pkwy  
Victoria, TX 77905-0702

Reid, Collins, & Tsai LLP  
ATTN: Lisa S. Tsai  
1301 S. Capital of Texas Hwy Building C  
Austin, TX 78746-6550

Richard E. Borstmayer  
c/o Kyle R. Watson  
Winstead PC  
24 Waterway Ave Suite 500  
The Woodlands, TX 77380-3289

Rocacea, LLC  
c/o REID, COLLINS, & TSAI LLP  
1301 S. Capital of Texas Hwy Building C,  
Austin, TX 78746-6574

Santander Consumer USA  
Attn: Bankruptcy 10-64-38-PD7 601 Penn  
Reading, PA 19601

Santander Consumer USA, Inc.  
d/b/a Chrysler Capital  
P.O. Box 961275  
Fort Worth, TX 76161-0275

Texas Champion Bank  
P.O. Box 270550  
Corpus Christi, Texas 78427-0550

Texas Champion Bank  
PO Box 2090  
Alice, TX 78333-2090

US Trustee  
Office of the US Trustee  
515 Rusk Ave  
Ste 3516  
Houston, TX 77002-2604

United States Attorney General  
Centralized Insolvency Office  
950 Pennsylvania Avenue NW  
Washington, DC 20530-0009

United States Attorney General  
Internal Revenue Service  
1000 Louisiana St Ste 2300  
Houston, TX 77002-5010

Wharton County  
c/o Julie Anne Parsons  
P.O. Box 1269  
Round Rock, TX. 78680-1269

Wharton County  
c/o Tara LeDay  
P.O. Box 1269  
Round Rock, Texas 78680-1269

Wood, Boykin, & Walter  
ATTN: Peter E. Avots & Joseph B. Bascum  
615 North Upper Broadway, Suite 1100  
Corpus Christi, TX 78401-0748

David Michael Mobley  
3815 Montgomery Rd  
Richmond, TX 77406

Gregory Raymond Siemankowski  
Barron and Newburger  
7320 North Mopac expwy.  
Ste 400  
78731  
Austin, TX 78731-2338

Janet Northrup, Chapter 7 Trustee  
c/o Heather McIntyre  
1201 Louisiana, 28th Floor  
Houston, TX 77002-5607

Jerome A Brown  
The Brown Law Firm  
13900 Sawyer Ranch Rd  
Dripping Springs, TX 78620-4539

Lisa Mobley  
3815 Montgomery Rd  
Richmond, TX 77406

Melissa A Haselden  
Haselden Farrow PLLC  
Pennzoil Place  
700 Milan  
Suite 1300  
Houston, TX 77002-2736

Stephen Wayne Sether  
Barron Newburger, P.C.  
7320 N Mopac Expwy  
Ste 400  
Austin, TX 78731-2347

The following recipients may be/have been bypassed for notice due to an undeliverable (u) or duplicate (d) address.

(u)M/G Finance Co., Ltd.

(u)MATAGORDA ISD

(u)People's United Equipment Finance

End of Label Matrix  
Mailable recipients 54  
Bypassed recipients 3  
Total 57